

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CR-17-239-M
)	(formerly M-17-368-STE)
)	
JERRY DRAKE VARNELL,)	
)	
Defendant.)	

ORDER

This cause came on for hearing on November 21, 2017, to determine Defendant Jerry Drake Varnell's competency to stand trial. 18 U.S.C. § 4247(d). The United States was present by Matthew Dillon and Mark R Stoneman, Assistant United States Attorneys. Defendant was present in person with his attorney, Marna S. Franklin.

On August 25, 2017 the Court granted Plaintiff's Motion for Hearing to Determine Competency (ECF No. 22). Defendant has been evaluated by a forensic psychologist at the Federal Bureau of Prisons, Metropolitan Correctional Center, San Diego, California. The examining forensic psychologist has provided a Forensic Report dated November 2, 2017, in which she concluded that Defendant's "present ability to understand the nature and consequences of the court proceedings brought against him, as well as his ability to properly assist counsel in a defense are not substantially impaired by a mental disease or defect."

Counsel have received and reviewed the Forensic Report and now stipulate to its finding that the Defendant is not presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the

nature and consequences of the proceedings against him or to properly assist in his defense.

Based upon the evidence presented, including the Forensic Report, documents presented by the Defendant, and the stipulation of counsel the Court finds that **Defendant is not presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense.**

IT IS SO ORDERED on November 21, 2017.



SHON T. ERWIN
UNITED STATES MAGISTRATE JUDGE